

REMARKS

Claims 1-14 were rejected under 35 U.S. C. 103(a) as being unpatentable over Dawson et al. (US# 5,488,660). To the contrary, Dawson does not disclose or make obvious the features of the invention as defined in amended claims 1-14 and in new claims 15-18.

The novel and unobvious features of the claimed invention include: (1) a bolt capable of occupying first and second positions in which it is respectively possible or impossible to access a confined space within an apparatus, (2) an electromechanical device for allowing or preventing the bolt from moving from one of the first and second positions to the other, and (3) a mechanical unit manipulatable from outside of the confined space so as to move the bolt to one or the other of the first and second positions when this movement is allowed by operation of the electromechanical device.

In the first complete paragraph on page 3 of the action, the Office acknowledges that Dawson is “silent on teaching ... a bolt, an electromechanical device and a mechanical control unit arranged so as to run said bolt from one of said positions to the other”. Nevertheless, the Office goes on to assert that one of ordinary skill in the art at the time the invention was made would recognize that these missing components are “disclosed by Dawson in order to carry out the opening of the lock 16” in the Dawson system.

Contrary to the foregoing assertion by the Office, there is nothing in Dawson to suggest how to install, arrange and operate these missing components. Instead, the ATM lock of Dawson “is an improved modification of the operation of the Mas-Hamilton Group X-07 lock through the addition of control programs affecting portions of the operation of the lock, yet do not affect the remainder of the X-07 operation” (column 5, lines 40-44). It follows that there is nothing whatsoever in Dawson that would lead a person of ordinary skill to provide the missing components or teach this person how to install, arrange and

operate these components. Therefore, if this assertion by the Office is not withdrawn, the applicant respectfully requests that the Office either cite a prior art reference showing the claimed arrangement of these mechanical components, or provide an affidavit demonstrating that this arrangement constitutes prior art.

Another novel and unobvious feature of the claimed invention is a communication interface connected to a control circuit and provided with a terminal adapted to be connected to a computer remote from the apparatus containing the confined space, wherein the control circuit is arranged so that the foregoing electromechanical device can be operated only when the interface terminal has received a command from the remote computer, which thereby exclusively controls access to the confined space.

With respect to this claimed feature, the Office asserts that the opening of the lock in Dawson is controlled, at least indirectly, by a computer management system (host computer 52) "which is the only one to be able to allow the lock to be open". This assertion clearly is not supported by the reference. A careful reading of the reference reveals that the computer management system 52 of Dawson does not control opening of the lock 16.

Dawson specifies that a dial 42 and a shaft 44 are controlled by an operator to provide input to a generator 40, which in turn powers an electronic control 20 and a microprocessor 22 to open the lock (Fig. 2 and Col. 6, lines 42-47). The microprocessor 22 is incorporated into the control 20 so that operation of this microprocessor by a control program "dictates the operation of the electronic control 20 which in turn controls the lock 16 operation" (Col. 7, lines 16-26). Thus, upon each opening of the lock with an authorized dialed combination, the control program run by microprocessor 22 generates a new authorized combination for opening the lock (Col. 2, line 63, to Col. 3, line 7, and Col. 3, lines 29-34).

Although a dispatch system microprocessor 264 may also be used to generate the authorized dialed combination, the computer 250 containing this microprocessor is entirely separate from the lock 16 (Lines 1-3 of Abstract; Fig. 3; Col. 13, lines 24-35 and 50-61). The fact that the lock system microprocessor 22 is not connected to the dispatch system computer 250 is made quite clear from Col. 14, lines 14-19, of Dawson, which state that: "The primary difference between the electronic control 20 of lock 16 and the dispatch system of FIG. 3 is that the combination generated by the dispatch system of FIG. 3 will be displayed so that the combinations can be recorded and transferred to the personnel going to the ATM for service or maintenance operations." Thus, the authorized combination generated by computer 250 must be physically carried to the lock 16.

In other words, the computer 52 shown in Fig. 2 of Dawson is arranged to receive information from the lock but not to authorize opening of the lock. Opening of the lock is controlled by means of the dial input (40, 42 and 44 in Fig 2) and the combination setting program that runs on the microprocessor 22. Referring now to Col. 6, lines 58-62, of Dawson, the ATM control 50 is connected to the host computer 52 only "for purposes of control and authorization of the ATM 10 functions and transactions, as well as for monitoring security of the ATM unit 10". Host computer 52 does not authorize opening of the lock 16.

In the present application, the electro-magnet 20 is commanded by the control circuit 22, which is exclusively controlled by the remote computer 28 via the terminal 24b. In other words, the lock is controlled by an access code that can be provided to and saved in memory 22a of control circuit 22 only by the remote computer 28. Thus, according to the claimed invention, the remote computer 28 has exclusive control over operation of the lock. This clearly is not the case in Dawson, where control of the lock is performed by microprocessor 22 within the lock itself (see particularly Col. 7, lines 16-26 and 34-52, Col. 10, lines 56-61, Col. 11, lines 39-42 and 65-67, and Col. 13, lines 21-24).

To permit a very secure and efficient action between the remote computer 28 and the lock (10, 40, 42, 58), the access code to open the lock of the invention is advantageously transmitted by the pulse train protocol defined in claims 5, 8, 10 and 14. In rejecting these claims, the Office asserts that Dawson utilizes the same protocol for data transmission, and references column 6, line 43, to column 7, line 25, of this reference. To the contrary, the referenced portion of Dawson merely refers to "a series of electrical pulses generated by generator 40", which does not describe a data transmission protocol. Based on a careful review of Dawson, applicant believes that there is no disclosure whatsoever in this reference suggesting the data transmission protocol defined in claims 5, 8, 10 and 14.

The specific structure of the four pulse trains of the data transmission protocol of the invention provides still further security. The length of the first, second and fourth pulse trains is fixed, i.e. they have a predefined length, while the length of the third pulse train is variable (paragraph [0039] of the Substitute Specification). This protocol permits a relatively simple and very secure transmission of information in a serial structure. Claims 15-18 have been added to describe these features of the invention.

The English translation of the specification of the PCT International Application has been amended to add paragraph numbering, to add section headings in compliance with 37 CFR 1.77, and to make editorial corrections and conform it to U. S. practice. Paragraph [0006] of the Substitute Specification was amended to correct the number of a prior art US patent, the correct patent number having been given in the Information Disclosure Statement filed with the present US National Stage application. Paragraph [0039] of the Substitute Specification was amended to correct a typographical error in the English translation of the corresponding PCT International Application as filed in French, the required correction being obvious from page 9, lines 22-25, of the

International Application. The claims have been amended to describe more specifically the features of the invention and for conformity to U. S. practice. None of these amendments are believed to involve any new matter.

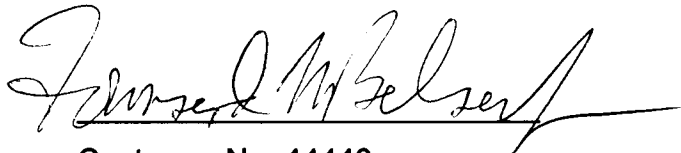
In view of the foregoing amendments and remarks, it is believed that all of the claims as now presented are allowable under 35 U.S.C., Sections 102, 103 and 112. Accordingly, reconsideration of the application and allowance of these claims are respectfully requested. If for any reason the application is not in condition for examination and allowance, the undersigned would appreciate a call to the telephone number given below, or an e-mail to the address given below.

DEPOSIT ACCOUNT AUTHORIZATION

It is not believed that an extension of time or any fees, other than those presented herewith, are required. However, in the event that extensions of time are necessary, then such extensions of time are hereby petitioned under 37 CFR 1.136(a), and any additional fees required for consideration of this paper, including fees for the net addition of claims, are hereby authorized to be charged to our Deposit Account No. 080719. If any designated extension fees, or other designated fees, are not required or are in excess of the amount required, the Director is hereby authorized to credit any such overpayment to Deposit Account No. 080719.

Respectfully submitted,

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